

**EIGHTY-SEVENTH GENERAL ASSEMBLY  
2018 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

**February 20, 2018**

**Clip Sheet Summary**

Displays all amendments, fiscal notes, and conference committee reports for previous day.

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#">HJR 2009</a> .....	<a href="#">H-8051</a> .....	Filed	MEYER of Polk
<a href="#">HF 2131</a> .....	<a href="#">H-8045</a> .....	Filed	MAXWELL of Poweshiek
<a href="#">HF 2199</a> .....	<a href="#">H-8047</a> .....	Filed	WOLFE of Clinton
<a href="#">HF 2238</a> .....	<a href="#">H-8049</a> .....	Filed	PETTENGILL of Benton
<a href="#">HF 2285</a> .....	<a href="#">H-8044</a> .....	Filed	KAUFMANN of Cedar
<a href="#">HF 2286</a> .....	<a href="#">H-8050</a> .....	Lost	MEYER of Polk
<a href="#">HF 2307</a> .....	<a href="#">H-8046</a> .....	Filed	LANDON of Polk
<a href="#">HF 2355</a> .....	<a href="#">H-8041</a> .....	Filed	PRICHARD of Floyd
<a href="#">HF 2375</a> .....	<a href="#">H-8043</a> .....	Filed	MOHR of Scott
<a href="#">HF 2392</a> .....	<a href="#">H-8048</a> .....	Filed	HEARTSILL of Marion
<a href="#">SF 455</a> .....	<a href="#">H-8042</a> .....	Withdrawn	WINCKLER of Scott

**Fiscal Notes**

[HF 2194](#) — [Sex Offenders and Sexually Violent Predators](#) (LSB5295HV)

[HF 2224](#) — [Forest Reserve Property Tax Exemption](#) (LSB5019YH)

[HF 2297](#) — [Boiler Inspections](#) (LSB5645HV)

[HF 2321 — Unemployment Compensation, Workforce Development Department](#) (LSB5282HV)

[HF 2349 — Excluded Gamblers, Racing and Gaming Commission Regulation](#) (LSB5817HV)

[HF 2350 — Suicide Prevention Training](#) (LSB6102HV)

H-8051

1 Amend House Joint Resolution 2009 as follows:

2 1. Page 1, by striking lines 5 and 6 and inserting:

3 <Right to keep and bear arms. SEC. 1A. A well regulated  
4 militia, being necessary to the security of a free state,  
5 the right of the people to keep and bear arms, shall not be  
6 infringed. The>

7 2. Title page, line 2, after <relating to> by inserting <a  
8 well regulated militia and>

By MEYER of Polk

H-8051 FILED FEBRUARY 19, 2018

H-8045

- 1 Amend House File 2131 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 423A.2, subsection 1, paragraph c, Code
- 4 2018, is amended to read as follows:
- 5 c. "*Lodging*" means rooms, apartments, or sleeping quarters
- 6 in a hotel, motel, inn, public lodging house, rooming house,
- 7 or manufactured home or mobile home ~~which is tangible personal~~
- 8 ~~property~~ as defined in section 435.1, or in a tourist court,
- 9 or in any place where sleeping accommodations are furnished
- 10 to transient guests for rent, whether with or without meals.
- 11 Lodging does not include rooms that are not used for sleeping
- 12 accommodations.>
- 13 2. Title page, line 1, by striking <the exemption from>
- 14 3. Title page, line 1, by striking <taxes> and inserting
- 15 <taxes.>
- 16 4. Title page, by striking lines 2 and 3.
- 17 5. By renumbering as necessary.

By MAXWELL of Poweshiek

H-8045 FILED FEBRUARY 19, 2018

H-8047

1 Amend House File 2199 as follows:

2 1. Page 2, by striking lines 33 through 35 and inserting:

3 <NEW PARAGRAPH. *f.* The Act is committed upon property that  
4 consists of a device that has the ability to process a payment  
5 card as defined in section 715A.10.>

By WOLFE of Clinton

H-8047 FILED FEBRUARY 19, 2018

H-8049

1 Amend House File 2238 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 910.1, subsection 3, Code 2018, is  
5 amended to read as follows:

6 3. "*Pecuniary damages*" means all damages to the extent  
7 not paid by an insurer on an insurance claim by the victim,  
8 which a victim could recover against the offender in a civil  
9 action arising out of the same facts or event, except punitive  
10 damages and damages for pain, suffering, mental anguish, and  
11 loss of consortium. Without limitation, "*pecuniary damages*"  
12 includes damages for wrongful death and expenses incurred for  
13 psychiatric or psychological services or counseling or other  
14 counseling for the victim which became necessary as a direct  
15 result of the criminal activity.

16 Sec. 2. Section 910.1, subsection 5, Code 2018, is amended  
17 to read as follows:

18 5. "*Victim*" means a person who has suffered pecuniary  
19 damages as a result of the offender's criminal activities.  
20 However, for purposes of this chapter, an insurer paying a  
21 victim's insurance claim is not a victim and does not have a  
22 right of subrogation. An insurer may be a victim for purposes  
23 of this chapter if insurance fraud in violation of section  
24 507E.3 or 507E.3A has been perpetrated against the insurer.  
25 The crime victim compensation program is not an insurer for  
26 purposes of this chapter, and the right of subrogation provided  
27 by section 915.92 does not prohibit restitution to the crime  
28 victim compensation program.>

29 2. Title page, line 2, after <victims> by inserting <of  
30 insurance fraud>

By PETTENGILL of Benton

H-8049 FILED FEBRUARY 19, 2018

H-8044

1 Amend House File 2285 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. SUPPLEMENTAL REIMBURSEMENT FOR GROUND  
5 EMERGENCY MEDICAL TRANSPORTATION SERVICES PROVIDED TO MEDICAID  
6 BENEFICIARIES.

7 1. The department of human services shall submit a Medicaid  
8 state plan amendment to the centers for Medicare and Medicaid  
9 services of the United States department of health and human  
10 services to request authorization to establish and administer a  
11 methodology to provide supplemental reimbursement to eligible  
12 ground emergency medical transportation providers that provide  
13 ground emergency medical transportation services to Medicaid  
14 beneficiaries. For the purposes of this section, "eligible  
15 ground emergency medical transportation provider" means a  
16 provider who provides ground emergency medical transportation  
17 services to Medicaid beneficiaries and is enrolled as a  
18 Medicaid provider during the period being claimed.

19 2. The emergency medical transportation intergovernmental  
20 transfer obligation established under this section is  
21 contingent upon the continuation of the federal Medicaid  
22 funding methodology in effect on the effective date of this  
23 Act. If the federal methodology is changed after the effective  
24 date of this Act in a manner that negatively impacts the  
25 intergovernmental transfer obligation, as determined by the  
26 department, the department shall no longer be obligated to  
27 continue the intergovernmental transfer.

28 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
29 importance, takes effect upon enactment.>

30 2. Title page, lines 1 and 2, by striking <publicly owned or  
31 operated> and inserting <eligible>

By KAUFMANN of Cedar

H-8044 FILED FEBRUARY 19, 2018

H-8050

1 Amend House File 2286 as follows:

- 2 1. Page 1, line 10, after <property.> by inserting <However,  
3 a county may limit a real property owner to no more than two  
4 contract sales per year unless those sales are done by a  
5 licensed attorney, banker, real estate broker, or licensed real  
6 estate agent.>
- 7 2. Page 1, line 20, after <property.> by inserting <However,  
8 a city may limit a real property owner to no more than two  
9 contract sales per year unless those sales are done by a  
10 licensed attorney, banker, real estate broker, or licensed real  
11 estate agent.>

By MEYER of Polk

H-8050 FILED FEBRUARY 19, 2018

LOST

H-8046

1 Amend House File 2307 as follows:

2 1. Page 4, line 27, after <rates.> by inserting <The lesser  
3 of the sale price or the fair market value of the acquired  
4 utility as established pursuant to section 388.2A, subsection  
5 2, shall be used in determining the applicable ratemaking  
6 principles.>

By LANDON of Polk

H-8046 FILED FEBRUARY 19, 2018

H-8041

- 1 Amend House File 2355 as follows:
- 2 1. Page 2, after line 11 by inserting:
- 3 <2. The department shall employ a physician to assist
- 4 the department in operating the program under this chapter
- 5 to include approving treatment plans and modified treatment
- 6 plans under section 35E.4, and reviewing reports of the
- 7 veteran's measured health improvements under the treatment plan
- 8 and requests for reimbursement of expenses submitted by the
- 9 treatment facility providing hyperbaric oxygen treatment under
- 10 section 35E.5.>
- 11 2. Page 2, line 12, by striking <2.> and inserting <3.>
- 12 3. Page 2, line 14, by striking <3.> and inserting <4.>

By PRICHARD of Floyd

H-8041 FILED FEBRUARY 19, 2018

H-8043

- 1 Amend House File 2375 as follows:
- 2 1. By striking page 1, line 12, through page 2, line 12.
- 3 2. By renumbering as necessary.

By MOHR of Scott

H-8043 FILED FEBRUARY 19, 2018

H-8048

1 Amend House File 2392 as follows:

2 1. Page 1, line 28, by striking <renter> and inserting  
3 <lessee>

By HEARTSILL of Marion

H-8048 FILED FEBRUARY 19, 2018

H-8042

1 Amend the amendment, H-8010, to Senate File 455, as amended,  
2 passed, and reprinted by the Senate, as follows:

3 1. By striking page 1, line 5, through page 6, line 12, and  
4 inserting:

5 <DIVISION \_\_\_\_

6 STATE AND DISTRICT COSTS PER PUPIL

7 Sec. \_\_\_\_\_. Section 257.1, subsection 4, Code 2018, is amended  
8 to read as follows:

9 4. *Legislative review.* The provisions of this chapter shall  
10 be subject to legislative review at least every five years.  
11 The review shall be based upon a school finance formula status  
12 report containing the recommendations of a legislative interim  
13 committee appointed to conduct a review of the school finance  
14 formula, to be prepared with the assistance of the department  
15 of education, in association with the departments of management  
16 and revenue. The report shall include recommendations  
17 for school finance formula changes or revisions based upon  
18 demographic changes, enrollment trends, and property tax  
19 valuation fluctuations observed during the preceding five-year  
20 interval; an analysis of the operation of the school finance  
21 formula during the preceding five-year interval; an analysis  
22 of adjustments to regular program state cost per pupil under  
23 section 257.9, subsection 2, adjustments to regular program  
24 district cost per pupil under section 257.10, subsection 2, and  
25 supplementary weighting for transportation costs under section  
26 257.11, subsection 7A; and a summary of issues that have arisen  
27 since the previous review and potential approaches for their  
28 resolution. The first such report shall be submitted to the  
29 general assembly no later than January 1, 2005, with subsequent  
30 reports developed and submitted by January 1 at least every  
31 fifth year thereafter.

32 Sec. \_\_\_\_\_. Section 257.2, subsection 12, Code 2018, is  
33 amended to read as follows:

34 12. "*Supplemental state aid*" means the amount by which state  
35 cost per pupil and district cost per pupil will increase from

1 one budget year to the next as the result of the state percent  
2 of growth.

3 Sec. \_\_\_\_\_. Section 257.8, subsection 5, Code 2018, is amended  
4 to read as follows:

5 5. *Alternate supplemental state aid — definitions.*

6 a. For budget years beginning July 1, 2000, and subsequent  
7 budget years, references to the terms "*supplemental state aid*",  
8 "*regular program state cost per pupil*", and "*regular program*  
9 *district cost per pupil*" shall mean those terms as calculated  
10 for those school districts that calculated regular program  
11 supplemental state aid for the school budget year beginning  
12 July 1, 1999, with the additional thirty-eight dollars  
13 specified in section 257.8, subsection 4, Code 2013.

14 b. For the budget year beginning July 1, 2018, and  
15 subsequent budget years, references to "*supplemental state*  
16 *aid*" and "*regular program state cost per pupil*" shall mean  
17 those terms as calculated including the additional amounts  
18 for specified budget years under section 257.9, subsection 2,  
19 paragraphs "b", "c", and "d", and references to "*regular program*  
20 *district cost per pupil*" shall mean that term as calculated  
21 including any adjustments made under section 257.10, subsection  
22 2.

23 Sec. \_\_\_\_\_. Section 257.9, subsection 2, Code 2018, is amended  
24 to read as follows:

25 2. *Regular program state cost per pupil for 1992-1993 and*  
26 *succeeding years.*

27 a. For the budget year beginning July 1, 1992, and  
28 succeeding budget years beginning before July 1, 2018, the  
29 regular program state cost per pupil for a budget year is the  
30 regular program state cost per pupil for the base year plus the  
31 regular program supplemental state aid for the budget year.

32 b. For the budget year beginning July 1, 2018, the regular  
33 program state cost per pupil is the regular program state  
34 cost per pupil for the base year plus the regular program  
35 supplemental state aid for the budget year, plus five dollars.

1     c. For the budget year beginning July 1, 2019, the regular  
2 program state cost per pupil is the regular program state  
3 cost per pupil for the base year plus the regular program  
4 supplemental state aid for the budget year, plus ten dollars.

5     d. For the budget year beginning July 1, 2020, the regular  
6 program state cost per pupil is the regular program state  
7 cost per pupil for the base year plus the regular program  
8 supplemental state aid for the budget year, plus twenty  
9 dollars.

10    e. For the budget year beginning July 1, 2021, and  
11 succeeding budget years, the regular program state cost per  
12 pupil for a budget year is the regular program state cost per  
13 pupil for the base year plus the regular program supplemental  
14 state aid for the budget year.

15    Sec. \_\_\_\_\_. Section 257.10, subsection 2, paragraph b, Code  
16 2018, is amended to read as follows:

17    b. If the regular program district cost per pupil of a  
18 school district for the budget year under paragraph "a" exceeds  
19 one hundred five percent of the regular program state cost  
20 per pupil for the budget year and the state percent of growth  
21 for the budget year is greater than two percent, the regular  
22 program district cost per pupil for the budget year for that  
23 district shall be reduced to one hundred five percent of the  
24 regular program state cost per pupil for the budget year.

25 However, under such conditions, if the difference between the  
26 regular program district cost per pupil for the budget year and  
27 the regular program state cost per pupil for the budget year  
28 is greater than an amount equal to two percent multiplied by  
29 the regular program state cost per pupil for the base year, the  
30 regular program district cost per pupil for the budget year  
31 shall be reduced by the amount equal to two percent multiplied  
32 by the regular program state cost per pupil for the base year.

33    Sec. \_\_\_\_\_. Section 257.10, subsection 2, Code 2018, is  
34 amended by adding the following new paragraph:

35    NEW PARAGRAPH. c. For the budget year beginning July 1,

1 2018, and succeeding budget years, if the regular program  
2 district cost per pupil for the budget year calculated under  
3 this subsection in any school district is less than the  
4 regular program state cost per pupil for the budget year, the  
5 department of management shall increase the regular program  
6 district cost per pupil of that district to an amount equal to  
7 the regular program state cost per pupil for the budget year.  
8 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division of this  
9 Act, being deemed of immediate importance, takes effect upon  
10 enactment.

11 DIVISION \_\_\_\_\_

12 SCHOOL DISTRICT SUPPLEMENTARY WEIGHTING

13 Sec. \_\_\_\_\_. Section 257.10, subsection 8, paragraph a, Code  
14 2018, is amended to read as follows:

15 a. Combined district cost is the sum of the regular  
16 program district cost per pupil multiplied by the weighted  
17 enrollment minus the additional pupils added due to section  
18 257.11, subsection 7A, the regular program state cost per pupil  
19 multiplied by the number of pupils added due to section 257.11,  
20 subsection 7A, the special education support services district  
21 cost, the total teacher salary supplement district cost, the  
22 total professional development supplement district cost, the  
23 total early intervention supplement district cost, and the  
24 total teacher leadership supplement district cost, plus the sum  
25 of the additional district cost allocated to the district to  
26 fund media services and educational services provided through  
27 the area education agency, the area education agency total  
28 teacher salary supplement district cost and the area education  
29 agency total professional development supplement district cost.

30 Sec. \_\_\_\_\_. Section 257.11, Code 2018, is amended by adding  
31 the following new subsection:

32 NEW SUBSECTION. 7A. School district transportation costs.

33 a. In order to provide additional funds for school district  
34 transportation costs resulting from the transportation of  
35 resident pupils required by chapter 285 and paid from sources

1 other than the district's physical plant and equipment levy  
2 fund under section 298A.4 or revenue received from the secure  
3 an advanced vision for education fund under section 423F.2, a  
4 supplementary weighting plan for such pupils is adopted.

5     **b.** Each school district shall be assigned a supplementary  
6 weighting amount as follows:

7         (1) For the budget year beginning July 1, 2018, ten percent  
8 of the combined weighting amount calculated under paragraph  
9 "c", subparagraph (2), for that budget year.

10        (2) For the budget year beginning July 1, 2019, twenty  
11 percent of the combined weighting amount calculated under  
12 paragraph "c", subparagraph (2), for that budget year.

13        (3) For the budget year beginning July 1, 2020, and  
14 each succeeding budget year, thirty percent of the combined  
15 weighting amount calculated under paragraph "c", subparagraph  
16 (2), for that budget year.

17     **c.** (1) (a) *Transportation cost factor.* For each budget  
18 year beginning on or after July 1, 2018, the department of  
19 management shall calculate for each school district all of the  
20 following:

21         (i) The sum of the school district's total transportation  
22 costs incurred for the transportation of pupils required under  
23 chapter 285, and paid from sources other than the district's  
24 physical plant and equipment levy fund under section 298A.4  
25 or revenue received from the secure an advanced vision for  
26 education fund under section 423F.2, for the three years  
27 immediately preceding the base year.

28         (ii) The sum of the school district's regular program  
29 district cost for the three years immediately preceding the  
30 base year, excluding amounts attributable to budget adjustments  
31 received under section 257.14.

32         (iii) The school district's budget enrollment multiplied by  
33 the quotient of the school district's amount under subparagraph  
34 subdivision (i) divided by the school district's amount under  
35 subparagraph subdivision (ii).

1 (iv) The school district's amount under subparagraph  
2 subdivision (iii) divided by the sum of the amounts calculated  
3 under subparagraph subdivision (iii) for all school districts.

4 (v) The amount calculated under subparagraph subdivision  
5 (iv) multiplied by ninety percent of the sum of all school  
6 districts' transportation costs incurred for the transportation  
7 of pupils required under chapter 285 for the year preceding  
8 the base year and paid from sources other than the district's  
9 physical plant and equipment levy fund under section 298A.4  
10 or revenue received from the secure an advanced vision for  
11 education fund under section 423F.2.

12 (vi) The quotient of the amount calculated under  
13 subparagraph subdivision (v) divided by the regular program  
14 state cost per pupil for the budget year.

15 (b) *Budget enrollment factor.* For each budget year  
16 beginning on or after July 1, 2018, the department of  
17 management shall calculate for each school district all of the  
18 following:

19 (i) The quotient of the school district's budget enrollment  
20 divided by the statewide total budget enrollment multiplied by  
21 five percent of the sum of all school districts' transportation  
22 costs incurred for the transportation of pupils required under  
23 chapter 285 for the year preceding the base year and paid from  
24 sources other than the district's physical plant and equipment  
25 levy fund under section 298A.4 or revenue received from the  
26 secure an advanced vision for education fund under section  
27 423F.2.

28 (ii) The amount calculated under subparagraph subdivision  
29 (i) divided by the regular program state cost per pupil for the  
30 budget year.

31 (c) *Route miles factor.* For each budget year beginning  
32 on or after July 1, 2018, the department of management shall  
33 calculate for each school district all of the following:

34 (i) The quotient of the school district's total route  
35 miles traveled for the transportation of pupils required under

1 chapter 285 for the year preceding the base year divided by the  
2 school district's budget enrollment.

3 (ii) The school district's amount under subparagraph  
4 subdivision (i) divided by the sum of the amounts calculated  
5 under subparagraph subdivision (i) for all school districts.

6 (iii) The amount calculated under subparagraph subdivision  
7 (ii) multiplied by five percent of the sum of all school  
8 districts' transportation costs incurred for the transportation  
9 of pupils required under chapter 285 for the year preceding  
10 the base year and paid from sources other than the district's  
11 physical plant and equipment levy fund under section 298A.4  
12 or revenue received from the secure an advanced vision for  
13 education fund under section 423F.2.

14 (iv) The amount calculated under subparagraph subdivision  
15 (iii) divided by the regular program state cost per pupil for  
16 the budget year.

17 (2) The combined weighting amount for each school district  
18 is the sum of the following:

19 (a) The amount calculated under subparagraph (1),  
20 subparagraph division (a), subparagraph subdivision (vi).

21 (b) The amount calculated under subparagraph (1),  
22 subparagraph division (b), subparagraph subdivision (ii).

23 (c) The amount calculated under subparagraph (1),  
24 subparagraph division (c), subparagraph subdivision (iv).

25 d. Funding received by a school district as the result of  
26 supplementary weighting under this subsection shall not affect  
27 a school district's eligibility for transportation assistance  
28 under section 257.31, subsection 17.

29 e. Amounts received by a school district as the result  
30 of supplementary weighting under this subsection shall be  
31 deposited in the school district's general fund and may be used  
32 for any general fund purpose.

33 f. If a school district established as the result of a  
34 reorganization under chapter 275 does not have sufficient  
35 transportation cost data, regular program district cost per

1 pupil data, or enrollment data for the calculation of amounts  
2 required under this subsection, the department of management  
3 shall use estimated transportation cost data, regular program  
4 district cost per pupil data, and enrollment data derived from  
5 data for prior budget years from each district involved in  
6 the reorganization until such amounts can be calculated using  
7 actual data for the reorganized school district.

8     *g.* For the budget years beginning July 1, 2018, July 1,  
9 2019, and July 1, 2020, and if necessary, any subsequent budget  
10 years, if insufficient or incomplete transportation cost data  
11 makes the implementation of this subsection impractical, the  
12 department of management shall, in consultation with the  
13 department of education and the legislative services agency,  
14 establish procedures and modified methodologies for calculating  
15 supplementary weighting and funding amounts under this  
16 subsection.

17     Sec. \_\_\_\_\_. Section 257.11, subsection 8, Code 2018, is  
18 amended to read as follows:

19     8. *Pupils ineligible.* A Except for transportation weighting  
20 under subsection 7A, a pupil eligible for the weighting plan  
21 provided in section 256B.9 is not eligible for supplementary  
22 weighting pursuant to this section unless it is determined  
23 that the course generating the supplemental weighting has no  
24 relationship to the pupil's disability. A pupil attending an  
25 alternative program or an at-risk pupils' program, including  
26 alternative high school programs, is not eligible for  
27 supplementary weighting under subsection 2.

28     Sec. \_\_\_\_\_. Section 257.31, subsection 17, paragraphs a and d,  
29 Code 2018, are amended to read as follows:

30     *a.* If a district's average transportation costs per  
31 pupil exceed the state average transportation costs per  
32 pupil determined under paragraph "c" by one hundred fifty  
33 percent, the committee may grant transportation assistance aid  
34 to the district using exclusively the funds transferred to  
35 the committee in accordance with section 321.34, subsection

1 22. Such aid shall be miscellaneous income and shall not be  
2 included in district cost.

3 *d.* Funds transferred to the committee in accordance with  
4 section 321.34, subsection 22, are appropriated to and may be  
5 expended for the purposes of the committee, as described in  
6 this ~~section~~ subsection. However, highest priority shall be  
7 given to districts that meet the conditions described in this  
8 subsection. Notwithstanding any other provision of the Code,  
9 unencumbered or unobligated funds transferred to the committee  
10 pursuant to section 321.34, subsection 22, remaining on June  
11 30 of the fiscal year for which the funds were transferred,  
12 shall not revert but shall be available for expenditure for the  
13 purposes of this subsection in subsequent fiscal years.

14 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division of this  
15 Act, being deemed of immediate importance, takes effect upon  
16 enactment.>

17 2. By renumbering, redesignating, and correcting internal  
18 references as necessary.

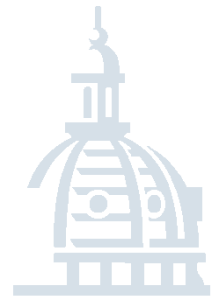
By WINCKLER of Scott

[H-8042](#) FILED FEBRUARY 19, 2018

WITHDRAWN

# Fiscal Note

*Fiscal Services Division*



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**HF 2194** – Sex Offenders and Sexually Violent Predators (LSB5295HV)  
Analyst: Laura Book (515.205.9275) [laura.book@legis.iowa.gov](mailto:laura.book@legis.iowa.gov)  
Fiscal Note Version – New

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## **Description**

[House File 2194](#) relates to sexually violent predators and the accumulation of earned time by offenders, and provides penalties. The Bill makes various changes to provisions relating to release of sexually violent predators under Iowa Code chapter [229A](#).

[House File 2194](#) specifies that an inmate committed to the Department of Corrections (DOC) who is required to participate in a sex offender or domestic abuse treatment program shall not be eligible for any reduction of sentence until the inmate participates in and completes a sex offender or domestic abuse treatment program. The Bill specifies that an inmate committed to the DOC may be ordered to forfeit any or all earned time if the inmate has failed to complete a sex offender or domestic abuse treatment program as specified in Iowa Code section [903A.2](#).

## **Background**

Under Iowa Code section [903A.2\(1\)\(a\)\(2\)](#), an inmate required to participate in a sex offender treatment program (SOTP) shall not be eligible for a reduction of sentence unless the inmate participates in and completes an SOTP. Failure to complete treatment includes refusal to attend or removal by corrections officers. Prior to 2016, the DOC policy interpreted this language to mean that an inmate could no longer accrue any earned time after refusing to attend the DOC's SOTP, but would not lose any previously accrued earned time. In January 2016, the DOC revised its policy to also include the forfeiture of previously accrued earned time. In 2017, the Iowa Supreme Court ruled in [State v. Iowa District Court for Jones County](#) that the DOC policy prior to 2016 applied and the DOC could not lawfully forfeit an offender's earned time accrued prior to refusal or removal from the SOTP.

## **Assumptions**

- The following will not change over the projection period: charge, conviction, and sentencing patterns and trends; prisoner length of stay; revocation rates; plea bargaining; and other criminal justice system policies and practices.
- A lag effect of six months is assumed from the effective date of this Bill to the date of first entry of affected offenders into the correctional system.
- In FY 2017, 33 offenders were unsuccessful in the Domestic Abuse Treatment Program. It is assumed that 33 offenders will be unsuccessful in the program annually.
- In FY 2017, 43 offenders were unsuccessful in the SOTP. It is assumed that 43 offenders will be unsuccessful in the program annually.
- The maximum sentence imposed on average would add six years after loss of earned time for those unsuccessful in the SOTP and seven years for those unsuccessful in the Domestic Abuse Treatment Program.
- The annual marginal cost of prison per day is equal to the daily marginal cost multiplied by 365 days (\$17.52 x 365 = \$6,394.80).

### **Correctional Impact**

No additional persons will be convicted because of the provisions in this Bill. The impact will occur because the length of stay for offenders who were unsuccessful in the treatment programs will increase due to loss of earned time. This impact will begin in FY 2019 and continue to increase until FY 2024. The additional costs are outlined in the Fiscal Impact section of this Fiscal Note. The Bill is expected to increase the prison population due to the increased length of stay after forfeiture of earned time.

**Table 1 — HF 2194 Estimated Prison Population Changes**

	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
SOTP	43	86	129	172	215	215
Domestic Abuse Treatment	33	66	99	132	165	198
<b>Total Additional Population</b>	<b>76</b>	<b>152</b>	<b>228</b>	<b>304</b>	<b>380</b>	<b>413</b>

\*On average, SOTP offenders stay an additional 6 years and DAP stay an additional 7 years.

Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 8, 2018, for information related to the correctional system.

### **Minority Impact**

Of the current active offenders, three of the six offenders unsuccessful in the Domestic Abuse Treatment Program and four of the 22 offenders unsuccessful in the SOTP are African-American. This Bill is not estimated to have a minority impact. Refer to the LSA memo addressed to the General Assembly, [Minority Impact Statement](#), dated January 29, 2018, for information related to minorities in the criminal justice system.

### **Fiscal Impact**

[House File 2194](#) will have a fiscal impact on the operating budget of the DOC due to the increased length of stay for offenders who are unsuccessful in the SOTP or the Domestic Abuse Treatment Program. It is estimated there will be 43 unsuccessful participants in the SOTP and 33 unsuccessful participants in the Domestic Abuse Treatment Program annually. The marginal costs are estimated to increase until FY 2024 when the prison population is no longer expected to further increase as a result of the Bill.

**Table 2 — HF 2194 Additional Prison Costs Per Year**

	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>
Additional Population	76	152	228	304	380	413
Annual Marginal Cost Per Inmate	\$ 6,395	\$ 6,395	\$ 6,395	\$ 6,395	\$ 6,395	\$ 6,395
<b>Total Additional Cost Per Year</b>	<b>\$ 486,005</b>	<b>\$ 972,010</b>	<b>\$1,458,014</b>	<b>\$1,944,019</b>	<b>\$2,430,024</b>	<b>\$2,641,052</b>

\*Totals may not add up due to rounding of marginal cost.

### **Sources**

Department of Corrections  
CJJP

[State of Iowa v. Iowa District Court for Jones County](#), 909 N.W.2d 811 (2017).

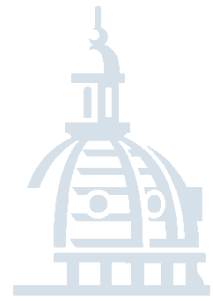
/s/ Holly M. Lyons

February 19, 2018

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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**HF 2224** – Forest Reserve Property Tax Exemption (LSB5019YH)  
Analyst: Jeff Robinson (515.281.4614) [jeff.robinson@legis.iowa.gov](mailto:jeff.robinson@legis.iowa.gov)  
Fiscal Note Version – New

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**Description**

**House File 2224** modifies an existing property tax exemption available for qualified forest reservation land. Current law allows for a 100.0% tax exemption for forest land parcels of 2.0 acres or larger. This Bill raises the minimum required parcel size to 5.0 acres and reduces the property tax exemption to 50.0%. The changes do not impact the existing 100.0% exemption for qualified fruit tree property. The change is effective beginning assessment year (AY) 2019 (FY 2021).

**Background**

For AY 2017, there are 813,000 acres with a combined assessed value (market or productivity value, prior to any applicable taxable value rollback) of \$718.6 million benefiting from the existing tax exemption for fruit trees and forest reservations. The statewide breakout of this acreage into fruit trees versus forest reservations is not available, but through analysis of assessment data from select counties, it is expected that the vast majority of the exempt land qualifies as forest reservation property.

Reducing the value of a property tax exemption impacts State and local finances by decreasing the State appropriation for school aid and by increasing the revenue raised by local tax levies. The State school aid appropriation reduction is equal to \$5.40 per \$1,000 of increase in value subject to property tax.

**Assumptions**

The fiscal estimate was developed by the Department of Revenue (DOR) using AY 2017 exempt acres, statewide average tax rates, and rollback percentages by property class. Assessed value is projected to grow 3.0% per year.

To estimate the impact of the increase in the required parcel size from the existing 2.0 acres to 5.0 acres, the DOR reviewed assessor reports required to be filed with the Department of Natural Resources (DNR). The DOR reviewed a sample of the annual reports representing 30 of the 107 assessor districts in Iowa.

**Fiscal Impact**

For FY 2021, the property tax exemption changes proposed in the Bill will reduce the State General Fund appropriation for school aid by \$1.1 million and increase the amount of money raised by local property tax levies by \$4.9 million. The impacts are projected to increase 3.0% each succeeding fiscal year.

**Sources**

Iowa Department of Revenue  
Iowa Department of Natural Resources  
Clarke and Polk County Assessors

/s/ Holly M. Lyons

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February 19, 2018

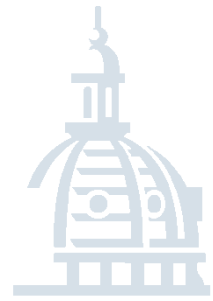
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# Fiscal Note

*Fiscal Services Division*



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[HF 2297](#) – Boiler Inspections (LSB5645HV)

Analyst: Ron Robinson (515.281.6256) [ron.robinson@legis.iowa.gov](mailto:ron.robinson@legis.iowa.gov)

Fiscal Note Version – New

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## **Description**

[House File 2297](#) relates to boiler and unfired steam pressure vessel inspections and specifies the following:

- Steel hot water boilers and other objects will no longer be required to have an annual external inspection. The external inspection will only be required for years in which an internal inspection does not take place.
- Low pressure steam boilers in dry lay-up will be required to have an internal inspection in lieu of an external inspection.
- Inspection exemptions for water heaters used for potable water are expanded to include larger capacity heaters and heaters with higher burner input.

## **Assumptions**

- The annual certification fee is \$40, and approximately 7,600 certifications issued by the Division of Labor under the Iowa Department of Workforce Development (IWD) are impacted by the changes to the burner input.
- An inspection fee is \$55, and the IWD performs approximately 1,400 inspections annually on the lower burner input heaters with insurance company employees performing the remaining inspections.
- An inspection fee is \$55, and the IWD performs approximately 1,000 inspections annually on other objects that would no longer require an annual inspection due to the changes to Iowa Code section [89.3\(7\)](#).
- Information is not available about the number of heaters impacted by the changes to the inspection exemptions based on the size of the heater.
- The reduction in inspections performed by the IWD will reduce the need for salary and travel costs of 1.0 FTE position.

**Fiscal Impact**

[House File 2297](#) will eliminate an estimated 7,600 certifications and 2,400 inspections, thereby reducing the net revenue to the Boiler and Pressure Vessel Safety Revolving Fund by an estimated \$329,000 annually beginning with FY 2019.

<b>Estimated Boiler and Pressure Vessel Safety Revolving Fund</b>			
<b>Revenue and Expenditures</b>			
	<u>Est. FY 2018</u>	<u>FY 2019</u>	<u>Est. Annual Impact</u>
Revenue			
Boiler Fund (Fees)	\$ 1,347,000	\$ 911,000	\$ (436,000)
Total Revenue	<u>\$ 1,347,000</u>	<u>\$ 911,000</u>	<u>\$ (436,000)</u>
Expenditures			
Salaries	\$ 666,000	\$ 566,000	\$ (100,000)
Support	65,000	65,000	-
Travel	124,000	117,000	(7,000)
Total Expenditures	<u>\$ 855,000</u>	<u>\$ 748,000</u>	<u>\$ (107,000)</u>
<b>Net Impact</b>	<b><u>\$ 492,000</u></b>	<b><u>\$ 163,000</u></b>	<b><u>\$ (329,000)</u></b>
<b>FTEs</b>	8.0	7.0	-1.0

**Source**

Iowa Department of Workforce Development

/s/ Holly M. Lyons

February 19, 2018

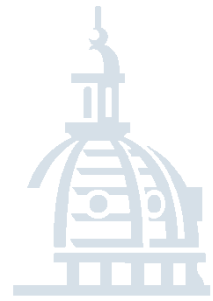
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# Fiscal Note

*Fiscal Services Division*



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**HF 2321** – Unemployment Compensation, Workforce Development Department (LSB5282HV)  
Analyst: Ron Robinson (515.281.6256) [ron.robinson@legis.iowa.gov](mailto:ron.robinson@legis.iowa.gov)  
Fiscal Note Version – New

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## **Description**

[House File 2321](#) specifies the Iowa Department of Workforce Development (IWD) will pay the actual cost of criminal history checks and an applicant for employment with the IWD and employees of the IWD will be subject to a possible national criminal history check through the Federal Bureau of Investigation at the discretion of the IWD.

The Bill provides that a reduction in unemployment benefits due to pension payments received will only occur if the claimant's base period employer has made 100.0% of the contributions to the pension plan. The Bill further provides that vacation pay paid out to an employee will only be considered wages for purposes of unemployment benefits for a maximum of five workdays.

The Bill also permits the IWD, in its discretion, to require a nonprofit organization employing 15 or more full-time individuals that elects to become liable for payments reimbursing the Unemployment Trust Fund for unemployment benefits in lieu of contributions to the Trust Fund, to file with the IWD a bond or security approved by the IWD.

## **Assumptions**

- The IWD will have performed criminal history checks on a total of 15 employees and applicants the first year (FY 2019) and a total of five employees and applicants each subsequent year, beginning with FY 2020.
- The average cost for each check will be \$100.
- The total one-time cost of supplies to start the criminal history checks will be \$250.

## **Fiscal Impact**

Criminal history checks will result in FY 2019 expenditures totaling an estimated \$1,750 (\$250 for supplies and \$1,500 for criminal history checks) and \$500 each subsequent year for criminal history checks paid from the Unemployment Insurance Federal Base Grant in the Integrity Bureau.

The changes related to pension and vacation pay deductibility will permit the IWD to reallocate an estimated 2.9 Workforce Advisor FTE positions and \$150,000 in salary expenses paid from the Unemployment Insurance Federal Base Grant in the Benefits Bureau.

Providing the IWD with discretion to require specified nonprofit organizations to file a bond or security will have no significant impact on operational costs or Trust Fund payments.

## **Sources**

Iowa Department of Workforce Development

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/s/ Holly M. Lyons

February 19, 2018

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



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**HF 2349** – Excluded Gamblers, Racing and Gaming Commission Regulation (LSB5817HV)  
Analyst: Christin Mechler (515.250.0458) [christin.mechler@legis.iowa.gov](mailto:christin.mechler@legis.iowa.gov)  
Fiscal Note Version – New

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## **Description**

[House File 2349](#) relates to the process involved when an individual requests to be voluntarily excluded from the wagering area and gaming floor of a gambling facility. The Bill requires the Iowa Racing and Gaming Commission (IRGC) to establish a process to allow an individual to be voluntarily excluded, to disseminate information concerning such persons to all Iowa-licensed gambling facilities, and to provide such licensees electronic access to the names and social security numbers of voluntarily excluded persons through a secured, interactive Internet site, which the Commission is required to develop by January 1, 2019. [House File 2349](#) also requires all information stored on the Internet site to be kept confidential pursuant to Iowa Code chapter [22](#), unless ordered by a court or another person duly authorized to release such information.

## **Background**

In requesting to be voluntarily excluded from the wagering area and gaming floor of a gambling facility, an individual has the choice to be initially excluded for five years, followed by subsequent five-year exclusions, or ultimately, a lifetime exclusion. A lifetime exclusion may not be rescinded. Under current law, all 19 licensed gaming entities in the State, with the cooperation and assistance of the Iowa Gaming Association, maintain a database of individuals who have opted to voluntarily exclude themselves from the wagering area and gaming floor of a gambling facility.

## **Assumptions**

The IRGC will need to determine whether existing technology is able to accommodate the establishment and maintenance of a new secure Internet site to house the confidential information of individuals who voluntarily exclude themselves from the gaming and wagering areas of a gambling facility. The fiscal impact estimate below assumes that the Commission will not be able to utilize existing technology and will need to invest funds in constructing and maintaining a new online database.

**Fiscal Impact**

[House File 2349](#) is estimated to have the following fiscal impact as displayed in **Table 1** below:

**Table 1: Fiscal Impact to the IRGC, FY 2019 - FY 2020**

	<b>FY 2019</b>	<b>FY 2020</b>
FTE Position(s)	1.0	1.0
<b>Total</b>	<b>1.0</b>	<b>1.0</b>
Salaries	\$ 120,000	\$ 125,000
Support	\$ 5,000	\$ -
Website Construction/Maintenance	\$ 100,000	\$ 10,000
<b>Total</b>	<b>\$ 225,000</b>	<b>\$ 135,000</b>

The IRGC will need to hire 1.0 additional FTE position to assist in constructing, establishing, and maintaining the data warehouse that will house the confidential information of individuals who choose to voluntarily exclude themselves from all of Iowa's 19 gambling facilities. Support costs in FY 2019 refer to one-time costs associated with hiring and training a new employee. Initial website construction expenses are estimated to cost a maximum of \$100,000 in FY 2019, with maintenance costs estimated to total around \$10,000 for FY 2020 and subsequent years. Funding for these costs will come from the Gaming Regulatory Revolving Fund, established pursuant to Iowa Code section [99F.20](#).

**Source**

Iowa Racing and Gaming Commission

/s/ Holly M. Lyons

February 19, 2018

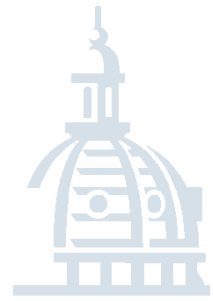
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# Fiscal Note

*Fiscal Services Division*



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[HF 2350](#) – Suicide Prevention Training (LSB6102HV)

Analyst: Robin Madison (515.281.5270) [robin.madison@legis.iowa.gov](mailto:robin.madison@legis.iowa.gov)

Fiscal Note Version – New

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## **Description**

[House File 2350](#) requires local school boards to integrate into the district's Comprehensive School Improvement Plan (CSIP) two types of annual, evidence-based training of at least one hour in length for school personnel who have regular contact with students and who hold a license, certificate, authorization, or statement of recognition from the Board of Educational Examiners. The Bill sets a July 1, 2019, deadline for school boards to complete this task.

The first required training is in regard to suicide prevention and postvention and is required for school personnel working with students in grades 6 through 12. The second required training is in regard to trauma-informed care and is required for school personnel working with students in kindergarten through grade 12.

The Bill specifies that the State Board of Education must adopt administrative rules requiring school districts to adopt protocols for suicide prevention and postvention and trauma-informed care based on nationally recognized best practices. The State Board is required to submit notice of intended action for those rules no later than December 12, 2018, and to adopt such rules no later than July 1, 2019.

## **Background**

A number of organizations offer evidence-based training in suicide prevention and postvention and in trauma-informed care, either online or in-person, free of charge to school districts. The organizations include the [National Alliance on Mental Illness \(NAMI\)](#) and the [American Foundation for Suicide Prevention \(AFSP\)](#), as well as Iowa-based organizations such as UnityPoint Health, [Orchard Place](#), [Please Pass the Love](#), and [Central Iowa ACEs 360](#). The majority of these offerings are one or two hours in length.

It is possible that the requirements in [HF 2350](#) may supplant other professional development opportunities for teachers due to limited funding. School districts receive annual State categorical funding for professional development and must develop an annual plan for the use of those funds. Districts are permitted to carry forward any unspent funds for use in subsequent years. At the end of FY 2016, districts had a statewide total of \$30.1 million in professional development carryforward. Many districts could choose to use carryforward funds for the new training in the initial years of implementation, but doing so would eventually deplete fund balances.

## **Assumptions**

School districts will use qualified training resources provided free of charge by local and national nonprofit agencies and organizations for both types of training. The only significant cost to school districts will be for replacing teachers in their classrooms or paying teachers for off-contract time to complete the training.

The average cost for a substitute teacher for one hour is \$16.25. The average regular salary for a teacher for one hour is \$36.10.

Training in suicide prevention and postvention will involve one hour of training for 20,133 teachers in grades 6 through 12 annually. If all districts conduct training during the regular school day, using substitute teachers, the statewide cost would be \$327,161. If all districts conduct training using off-contract time, the statewide cost for teacher pay would be \$726,801.

Training in trauma-informed care will involve one hour of training for 34,854 teachers in kindergarten through grade 12 annually. If all districts conduct training during the regular school day, using substitute teachers, the statewide cost would be \$566,378. If all districts conduct training using off-contract time, the statewide cost for teacher pay would be \$1,258,229.

Integrating the training into the CSIP makes it subject to review as part of the district accreditation process. The Department of Education will need to review the resources being used by the districts in order to ascertain whether they meet the intent of the legislation for accreditation purposes. This would require additional staff time.

### **Fiscal Impact**

[House File 2350](#) is estimated to cost local school districts between \$894,000 and \$2.0 million annually, beginning in FY 2020. It is not known how many districts will be able to use carryforward balances of professional development funds in the initial years of implementation. Eventually, all districts will have to pay the cost of the training from each year's professional development funding.

The Department of Education may incur additional costs related to district accreditation staff time for reviewing training resources used by school districts. It is unknown how many different resources would require review or how much staff time would be required.

### **Sources**

Department of Education  
Iowa Association of School Boards  
Please Pass the Love

/s/ Holly M. Lyons

February 19, 2018

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The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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